

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL YOUNG,

Plaintiff,

v.

OPINION AND ORDER

THE CITY OF EAU CLAIRE WISCONSIN
CITY BUS TRANSIT, and BUS DRIVER WIL,

Defendants.

In this proposed action, *pro se* plaintiff Michael Young alleges that defendants the City of Eau Claire, Wisconsin's City Bus Transit and one of its drivers, violated his constitutional rights by refusing to stop at a city bus stop to pick up Young. (Dkt. #1.) Plaintiff asked for leave to proceed under the *in forma pauperis* statute, 28 U.S.C. § 1915. From the financial affidavit provided, the court concluded that plaintiff was unable to prepay the fee for filing this lawsuit. The next step is determining whether plaintiff's proposed action is (1) frivolous or malicious; (2) fails to state a claim on which relief may be granted; or (3) seeks money damages from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2). Because Young has failed to state a claim on which relief may be granted, the court will deny him leave to proceed.

ALLEGATIONS OF FACT

In addressing any *pro se* litigant's complaint, the court must read the allegations generously. *Haines v. Kerner*, 404 U.S. 519, 521 (1972). For purposes of this screening order, the court assumes the following facts based on the allegations in his complaint.

On August 16, 2014, Young attempted to catch a city bus. Young alleges that bus driver “Wil” (last name unknown) refused to stop and pick him up “because he [doesn’t] like other people who are the same nationality as he is.” (Compl. (dkt. #1) ¶ 1.) In the complaint, Young also alleges that Wil is a “Negro,” but that he “[doesn’t] like other Negroes.” (*Id.*)

OPINION

While Young also mentions nationality in his complaint, it appears that Young is complaining about alleged race discrimination. Indeed, Young appears to be a United States citizen, or, at least, there is nothing in the complaint to infer otherwise. Like Young, the bus driver is black. Still, Young generally alleges that the bus driver discriminated against him because of his race by refusing to pick him up at the bus stop.

Given Young’s rampant, unsupported accusations of race discrimination in other cases and the conclusory nature of his allegation of a discriminatory motivation here, the court will require Young to submit more detailed allegations to support his claims that the bus driver discriminated against him based on his race before allowing this case to go forward. *See Young v. Buffalo Cty. Sheriff Dep’t*, 13-cv-689-wmc; *Young v. Gordy’s Country Market Grocery Store*, 14-cv-353-wmc; *Young v. Chippewa Valley Technical Coll.*, 14-cv-476-wmc. Accordingly, the court will deny Young leave to proceed at this time.

ORDER

IT IS ORDERED that:

- 1) plaintiff Michael Young's complaint is DISMISSED for his failure to state a claim; and
- 2) the clerk's office is directed to close this case.

Entered this 5th day of November, 2014.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge